

THE RECLAMATION BOARD – DECEMBER 20, 2007

Agenda Item #7 - Consent Item No. B

SUBJECT:

The County of Colusa (County) has requested to lease approximately ten acres of Reclamation Board (Board) fee-owned land, locally known as the Cruise 'N Tarry Marina. (Board Parcel No. 12655). The County proposes to lease the property to use as a boat launching facility.

LOCATION:

The area of interest is in Colusa County downstream of the Colusa Weir approximately one mile northeast of the city of Colusa on the water side of the levee. The existing facilities proposed to be leased to the County consist of the access road leading onto the property from River Road, a parking area, concrete boat ramp, and lagoon.

TERMS AND COMPENSATION:

The term of the lease is for 10 years. There is no compensation attached because this lease is considered a public benefit. There may be compensation to the Board if the County were to charge a use fee to defray the cost of maintenance. This consideration is stated in Section 2 Special Provisions, Paragraph 7.

REQUEST:

- Grant a lease to the County for access road, parking lot, launch ramp, and lagoon.

STAFF RECOMMENDATION:

Staff does not have a recommendation regarding approval or denial of this lease. There is a recognized need for public recreational boat ramps in the area. If the County is unable to make progress in acquiring the funding or the necessary permits for the project to go forward, the Board can terminate the lease.

JUSTIFICATION:

The County cites the need for a boat ramp near the City of Colusa to provide access to the Sacramento River for emergency response and search and rescue efforts. The launch ramp at the State Park at the city of Colusa is often unavailable for use due to problems keeping the inlet channel clear of sediment. The County states that it would be less expensive to maintain access to the at the Board's boat ramp.

PREVIOUS ACTION:

In 1989, The Reclamation Board acquired the Cruise 'N Tarry Marina in settlement of a lawsuit. On January 1, 1990, the Board issued a lease to the County for access and maintenance of the boat ramp and adjacent parking area. The lease was on a month-to-month basis through to December 31, 1999 at a rental fee of \$100 per year. In June 2000, a three-year lease was issued to the County at \$100 per year. During the County's lease they did an excellent job maintaining the ramp and keeping the area clean. Also, the County's policing of the area helped deter vandalism.

BACKGROUND:

1. The levee at this location was designated as a critical levee repair site in the 2005 U.S. Army Corps of Engineers (Corps) Field Reconnaissance Study. Due to the severe bank erosion, the method of repair for this site was the installation of a setback levee, which was completed in 2006.
2. The County operated the boat ramp pursuant to a 404 permit from the Corps and a 1601 permit from the California State Department of Fish and Game. (DFG). In 2003, the County declined to renew the lease as they had the opportunity to participate in the development of a new boat launching facility in the city of Colusa. The effort to develop the new boat launching facility was delayed due to funding problems. The County believes that the Cruise 'N Tarry site provides the best opportunity for a development of a viable and cost-effective boat launching facility.
3. There are several challenges that the County faces before development of the boat launching facility:
 - The County lacks the funding to proceed with the proposed project.
(The County proposes to address the funding for the rehabilitation and restoration of the boat ramp by applying for grant funds from the State of California's Department of Boating and Waterways. [Boating and Waterways] Boating and Waterways requires that the applicant either own or have control of the project premises. The County has requested the assistance of Board staff for the issuance of a lease to allow the County to move forward with their project.)
 - The permits from the Corps and DFG have expired.
(The County does not want to go forward with the permitting process unless it receives a lease from the Board. The proposed lease provides that either party can terminate the lease at any time.)
 - The lagoon and concrete boat ramp are silted in and are overgrown with vegetation.
(Removal of the sediment in the lagoon and on the concrete boat ramp is dependent upon the County securing the appropriate permits and funding.)
 - The property has been identified in its Colusa Subreach Planning project as being a potential riparian habitat restoration site. The Sacramento River Conservation Area Forum (SRCAF) and The Nature Conservancy (TNC) formed a partnership to conduct Colusa Subreach Planning.

(Although the site is identified as a potential habitation restoration site by the Colusa Subreach Planning project, it was also identified as a potential public access site in the public draft dated November 2006 of the Colusa Subreach Recreation Access Plan.)

- There is a residence in very close proximity to the boat launch site and the neighbors have complained about the late night partying which took place when the County previously operated the boat ramp.
(The proposed lease provides for daytime use only. The County needs to provide the staffing to lock and unlock the gates. The County also needs to contact adjacent property owners to discuss their concerns.)
- DWR maintenance staff has voiced a concern regarding the public safety and legal liability due to the unstable levee bank. The levee bank is nearly vertical due to severe erosion at this location.
(Currently, the gate to this site is closed and locked preventing public access. If public access were allowed on the property, the County would need to provide signage warning of the hazard and placing the "levee bluff" off limits.)

ATTACHMENTS:

Maps of the site
Lease document with special provisions